United Nations S/2012/367

Security Council

Distr.: General
25 May 2012

Original: English

Letter dated 25 May 2012 from the Secretary-General to the President of the Security Council

I have the honour to transmit the attached letter dated 10 May 2012, which I have received from His Excellency Mr. Jean Ping, Chairperson of the African Union Commission, conveying the responses of the Republic of the Sudan and the Republic of South Sudan to the 24 April 2012 communiqué of the Peace and Security Council of the African Union (see annex).

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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Annex

Letter dated 10 May 2012 from the Chairperson of the African Union Commission addressed to the Secretary-General

As you know, the communiqué of the Peace and Security Council (PSC) of the African Union (AU) of 24 April 2012 elaborated a "Roadmap" addressing the outstanding post-secession issues between the Republic of Sudan and the Republic of South Sudan and other related issues, with clear timeframes to which the Parties are expected to adhere. Through resolution 2046 (2012), adopted on 2 May 2012, the United Nations Security Council endorsed the PSC communiqué.

The immediate priority of the Roadmap is addressing the hostilities along the border between the two countries. The steps include an immediate cessation of hostilities, withdrawal of forces from the territory of the other country, the setting up of the Joint Border Verification and Monitoring Mechanism (JBVMM), the operationalization of the Safe Demilitarized Border Zone (SDBZ), the convening of the Ad Hoc Committee to consider allegations and counter-allegations by the Parties, and the holding of a meeting of the Joint Political Security Mechanism (JPSM), to pave the way for the resumption of wider negotiations for the resolution of all issues within the stipulated timeframe.

Immediately after the PSC meeting, I wrote to the Presidents of the Republics of Sudan and South Sudan, formally submitting to them the communiqué and seeking their cooperation in its implementation. I pledged the full support of the AU in efforts to end the fighting and normalize relations between the two countries. In addition to the letter I sent you to seek your support and that of the Security Council, I addressed similar communications to other AU partners. In the meantime, the High-level Implementation Plan (AUHIP) began preparing a plan of action for the implementation of all aspects of the communiqué. I am pleased to note that, in this exercise, the AUHIP has been supported by your Special Envoy, Mr. Haile Menkerios, and by the United Nations Interim Security Force in Abyei (UNISFA) Force Commander, General Tesfay Tadesse.

The Government of South Sudan responded to my letter, confirming its acceptance of the communiqué and the Roadmap. In response, I issued a press statement welcoming its acceptance and looking forward to its full cooperation. The Government of Sudan thereafter sent a letter in which it announced its acceptance in principle of the communiqué, while stating that some elements, nonetheless, required further consultations. I also issued a press statement noting that the communication of Sudan was a positive step in the right direction. I am hereby attaching all the relevant correspondence for your information. I am also pleased to note that, on 10 May 2012, the UNISFA Force Commander confirmed the withdrawal from Abyei of South Sudan Police Service, as called for in the Roadmap.

As indicated in the PSC communiqué and the Security Council resolution, the AUHIP has a pivotal role to play in the implementation of the Roadmap and the resumption of negotiations on all aspects of the relationship between Sudan and South Sudan. To this end, the Chairperson of the AUHIP, former President Thabo Mbeki, has held extensive consultations with the parties and with the UNISFA Force Commander, to put in place all the necessary steps to ensure that the JPSM, when convened, will be successful and will result in substantive outcomes.

In particular, President Mbeki has been seeking the acceptance by both sides of the map that would define the boundary between the two states for the purposes of the deployment of the JBVMM and the establishment of the SDBZ. Acceptance of the map is key to a cessation of hostilities, and is a necessary condition for the normalization of relations and the creation of conditions conducive to negotiations on all outstanding issues. Given that the location of the boundary is at the heart of current tensions and fighting between the two states, this is proving to be a difficult task, but I am pleased to note that progress is being made. The outcome of the preparatory process, and the actions of the Parties on the ground, will be reported by the AUHIP in the coming days, and I would like at this point to turn to the issue of reporting.

There is a unique opportunity created by the international consensus on Sudan and South Sudan at this point in support of the communiqué of the 319th meeting of the PSC, which was reflected in Security Council resolution 2046 (2012). Reporting on progress to both the PSC and the Security Council provides a unique opportunity to sustain and consolidate this consensus and facilitate assessment of compliance by both countries. In this respect, the AUHIP will play a key role. The Panel intends, in drafting its report, to consult closely with the relevant United Nations officials and with other stakeholders, as appropriate. The reports of the Panel will be transmitted to both the AU PSC and the United Nations Security Council.

I would appreciate it if you could circulate this letter to the Security Council members, prior to their scheduled review of the implementation of resolution 2046 (2012), which is due in the coming days.

I would like to take this opportunity to, once again, express my gratitude for the support that has been provided by you and the Security Council to the AU's efforts. The adoption of resolution 2046 (2012) was a further testimony to the close partnership between the AU and the United Nations and the ways in which the two organizations can optimize their respective comparative advantages. In this respect, let me assure you once again of the AU's determination to ensure the full implementation of all aspects of the Roadmap.

(*Signed*) Jean **Ping**

United Nations S/2012/368

Security Council

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27 May 2012

Original: English

Letter dated 27 May 2012 from the Secretary-General to the President of the Security Council

Further to my letter dated 25 May 2012 (S/2012/363), in which I updated the Security Council on the implementation of resolution 2043 (2012), I regret to inform that violence against the civilian population and clashes between Government forces and armed opposition groups in various parts of the Syrian Arab Republic have escalated in the past two days. The most disturbing and violent event took place in the El Houleh area in Homs province on 25 May 2012 and during the early hours of 26 May 2012.

Accounts of local residents suggest that attacks began on Friday, 25 May 2012, after demonstrations that followed prayers, and lasted until after midnight. Members of the Free Syrian Army and other local residents said that 116 people had been killed and more than 300 had been wounded.

On 26 May 2012, observers and civil and human rights experts from the United Nations Supervision Mission in the Syrian Arab Republic (UNSMIS) visited the villages of Taldou and Kafr Laha in the El Houleh area, where they viewed the bodies of the dead and confirmed from an examination of ordnance that artillery and tank shells were fired at a residential neighbourhood. They heard first-hand accounts of local residents of what had happened. The villages in question have been outside of Government control, but have been surrounded by heavy military presence. Government officials said that seven security officers had been killed in the El Houleh area on 25 May 2012.

The patrols negotiated the cessation of fire with both sides to ensure their safety. At the checkpoint before the village of Taldou, the team observed two armoured personnel carriers and one tank. UNSMIS patrols were met by crowds of local residents. Despite the circumstances, the observers were positively received by the local population, the Free Syrian Army, the Revolutionary Council and the Local Coordination Committee. However, local residents were anxious about the departure of the observers, which they said would allow the Government forces to resume shelling. For these reasons, in Taldou three patrol members were temporarily prevented from leaving the town by residents. All local interlocutors called on UNSMIS to establish presence in the El Houleh area.

UNSMIS patrols observed 85 corpses, including 34 children and 7 women, located in a mosque in Taldou. The observers were not able to immediately determine the cause of death, but observed shotgun wounds and wounds consistent with artillery fire. Local residents said that the bodies of the dead were also located

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in another mosque, but the UNSMIS patrol could not visit it owing to security reasons. The patrol also saw artillery and tank shells, as well as fresh tank tracks. Many buildings had been destroyed by heavy weapons.

The observers visited the village of Taldou later the same day. They observed local residents preparing a mass grave to bury the dead. The UNSMIS team visited another mosque in the village where they were shown three bodies, including a woman and an infant with gunshot wounds, and another four bodies, with severe facial injuries in another mosque. UNSMIS observers secured the return of six to eight other corpses, including one woman and children, from the checkpoint of the Government forces to the Taldou village for burial. These bodies bore signs of severe physical abuse.

In the village of Kafr Laha, the military observers met with representatives of the Free Syrian Army, the Revolutionary Council and the Local Coordination Committee. The observers spoke with local residents who alleged that the armed men, who had entered the village, were members of a pro-government paramilitary group, "Shabiha", from the neighbouring village of Kabou. The observers were shown injured adults and children, but they could not verify when the injuries had been sustained.

UNSMIS contacted the Syrian Arab Red Crescent to request medical aid for the injured in the two villages. Representatives of the Red Crescent, however, responded that all ambulances were in the Homs neighbourhood of Sultaniyah, which had also been shelled overnight. Local UNSMIS patrols met with the Governor of Homs and shared photographic and video evidence. While the detailed circumstances are unknown, we can confirm that there has been artillery and mortar shelling. There have also been other forms of violence, including shootings at close range and severe physical abuse.

In the wake of these events, the United Nations observers are facing increasing criticism for not stopping the violence and, in some quarters, even being blamed for an increase of violence. There is a misconception, which is difficult to correct, about the role of unarmed military observers and what they can and cannot do. This puts the United Nations presence on the ground in a perilous position both with regard to the ability to conduct operations and to the observers' personal security.

These appalling and brutal crimes, which involved indiscriminate and disproportionate use of force, are flagrant violations of international law and of the commitments under the six-point plan to cease the use of heavy weapons in population centres and violence in all its forms. Such crimes require a transparent, independent and impartial international investigation. Those responsible for perpetrating these crimes must be held to account.

I firmly demand that the Government of the Syrian Arab Republic immediately cease the use of heavy weapons in population centres and fulfil its responsibility to protect civilians. Armed violence in all its forms in the Syrian Arab Republic must cease at once. I urge the armed opposition to refrain from taking revenge and to keep its commitment not to resort to armed violence. However, I stress that it is in the first instance for the Government of the Syrian Arab Republic to make the cessation of violence announced on 12 April 2012 a reality. It is also clear that a political process must be launched in order to find a solution to the current dangerous political stalemate.

I welcome the continued unanimous support of the Security Council for the efforts of the Joint Special Envoy of the United Nations and the League of Arab States for Syria. I urge the Council to redouble its support to the Joint Special Envoy and UNSMIS, find effective ways to ensure an immediate cessation of all armed violence and take further steps, as necessary, to create the conditions for the effective implementation of the Joint Special Envoy's six-point plan and the mandate of UNSMIS. In this regard, it is particularly critical that measures be in place to ensure that the Government of the Syrian Arab Republic abides by its obligations to cease the use of heavy weapons in population centres. I call on the Government of the Syrian Arab Republic to expeditiously and fully implement the other aspects of the six-point plan in order to create an environment for a political process to resolve the ongoing crisis through peaceful means and to meet the legitimate aspirations of the Syrian people. The longer the current violence continues, the longer it will take the society to heal.

Joint Special Envoy Annan will travel to Damascus shortly. I sincerely hope that the Syrian leadership will take this opportunity to fundamentally change course and choose diplomacy over guns to ensure that the legitimate aspirations for freedom, dignity and prosperity of the Syrian people are met.

I should be grateful if you would bring the present letter urgently to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

United Nations S/2012/369

Security Council

Distr.: General
30 May 2012
English
Original: Arabic

Letter dated 25 May 2012 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Further to the previous complaints submitted to your august Council regarding the continued violations by South Sudan of Security Council resolution 2046 (2012) and all the agreements signed between the two States, I should like to inform you that the last eight days (from 17 to 25 May 2012) have seen gross violations and acts of cross-border aggression by the forces of South Sudan, which can be summarized as follows:

1. Forces from South Sudan consisting of a battalion equipped with two tanks and a number of heavy weapons, including quad-mounted cannons and rocket launchers, penetrated to a distance of 23 kilometres north of the 1 January 1956 border and gathered near the Meiram area, north of Bahr al-Ghazal, attempting to occupy the area several times on 17 and 18 May, until the Sudanese armed forces confronted them and forced them to return. This is a clear violation of Security Council resolution 2046 (2012);

2. On 22 and 24 May, South Sudan intensified its attacks on three regions in Southern Darfur State, namely Kafia Kingi, Siri Malaga and Samaha, within Sudanese territory. They carried out a series of military attacks that terrorized the civilians, particularly the more vulnerable, i.e., women and children, in Kafia Kingi and Kafan Deby in Southern Darfur State. We wish to point out that the two regions that were attacked are some 15-20 km north of the 1 January 1956 border; this action is therefore also a clear violation of Security Council resolution 2046 (2012);

3. South Sudan sent columns made up of infantry detachments of the South Sudan army equipped with heavy weapons, who joined up with the rebel groups belonging to what is known as the Kauda alliance and attacked the Talodi region and the surrounding villages several times over the five consecutive days from 17 to 22 May. The Sudanese armed forces confronted them and drove them back, continuing to pursue remnants of them in the areas adjacent to the towns of Talodi and Kadugli. This is another violation of Security Council resolution 2046 (2012);

4. Forces belonging to South Sudan infiltrated into the Am Dafok region and were joined by forces belonging to the rebel Darfurian Minni Arko Minnawi movement group, who reject peace. Those forces carried out a number of military operations in an effort to enter the Am Dafok region, the last such attempts having been on 18 and 19 May. This is yet another violation of Security Council resolution 2046 (2012).

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As for the groundless accusations contained in the letter submitted to the Council by South Sudan on 22 May 2012 (S/2012/352) to the effect that the Government of the Sudan is continuing aerial bombardment of South Sudan, they are simply a ploy intended to cover up the flagrant violations which South Sudan has committed. Indeed, the letter also indicated that the Sudanese armed forces had attacked the Wad Dakona region, and in that regard we should like to explain to the Council that bloody confrontations are taking place in the Wad Dakona region between the forces of South Sudan and groups belonging to the Shilluk tribe who are rebelling against it. We would also like to emphasize that the Sudanese armed forces are not even present in the eastern part of Southern Kordofan state, which is contiguous with Bahr al-Ghazal state in South Sudan, where skirmishes are taking place between forces of South Sudan and the groups rebelling against it. The Sudanese armed forces are present only in the three principal cities in the eastern part of Southern Kordofan state, namely Abu Gebeha, Rashad and Abbasiyah. The distances to which the forces of South Sudan have penetrated into Sudanese territory range up to more than 100 kilometres from the South Sudan border.

In drawing the Council's attention to these grave violations of Security Council resolution 2046 (2012) by South Sudan, we request the Council to take the necessary measures in that regard and compel South Sudan to cease forthwith its aggression against the territory of the Sudan and its support to rebel groups in the states of Southern Kordofan, Blue Nile and Darfur and to withdraw immediately its forces still present within Sudanese territory, as conveyed by us to the Council in detail in our letter of 28 April 2012 (S/2012/277). Finally, we reaffirm that the Sudanese Government, which has declared its commitment to the implementation of resolution 2046 (2012), remains the complying party, and we have expressed that commitment in our declaration of willingness to sit down and negotiate with South Sudan under the auspices of the African Union High-level Panel.

Kindly take note of and circulate this letter as a document of the Security Council.

(*Signed*) Daffa-Alla Elhag Ali **Osman**
Permanent Representative

United Nations S/2012/370

Security Council

Distr.: General
29 May 2012

Original: English

Letter dated 28 May 2012 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Further to our previous letters, through which we have confirmed the commitment of the Government of the Republic of the Sudan to Security Council resolution 2046 (2012), I have the honour to inform you that today, Monday, 28 May, the Government of the Sudan has informed the Chair of the African Union High-level Implementation Panel, Thabo Mbeki, that the Sudan has withdrawn its armed forces from the Abyei Area, consistent with the aforementioned Council resolution.

While conveying this information, the Government of the Sudan hopes that the Republic of South Sudan will cooperate and facilitate the establishment of all the mechanisms that have been agreed upon in the temporary security arrangement agreement for the Abyei Area.

I kindly request that the present letter be circulated as a document of the Security Council.

(*Signed*) Daffa-Alla Elhag Ali **Osman**
Permanent Representative

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United Nations S/2012/371

Security Council

Distr.: General
29 May 2012

Original: English

Letter dated 27 May 2012 from the Chargé d'affaires a.i. of the Permanent Mission of South Sudan to the United Nations addressed to the President of the Security Council

I regret to inform you that I have received reports today of further aerial bombardments conducted by Sudan Armed Forces on Warguet in Northern Bahr el Ghazal State, South Sudan. This morning, 27 May, the same locality was bombed yet again, as was Majak Woy in the same State. A Sudan Armed Forces plane also flew over Juba this morning.

These attacks and acts of intimidation are completely unacceptable and are in direct contravention of the provisions of United Nations Security Council resolution 2046 (2012). My Government calls on the Security Council to condemn Sudan's continued failure to comply with resolution 2046 (2012) and to repeat its demands that Sudan's aerial bombardments of South Sudan must stop immediately. My Government has welcomed the resumption of talks under the auspices of the African Union High-level Implementation Panel and wishes to engage in these talks constructively, not under threat of repeated attacks.

I would be most grateful if the present letter could be circulated as a document of the Security Council.

(*Signed*) Francis **Nazario**
Ambassador
Deputy Permanent Representative
Chargé d'affaires a.i.

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United Nations S/2012/372

Security Council

Distr.: General
31 May 2012

Original: English

Letter dated 25 May 2012 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council

I wish to draw your attention to the remarks by Ehud Barak, Defense Minister of the Israeli regime, as reported by international media on 23 May 2012, wherein he unwarrantedly and under erroneous and false presumptions on Iran's peaceful nuclear activities, threatened the use of force against the Islamic Republic of Iran by signalling the likelihood of an Israeli attack on Iran's nuclear facilities and saying that "nuclear Iran is intolerable and no options should be taken off the table". In this regard, I would like to state the following:

The Islamic Republic of Iran expresses its deep concern over and strong condemnation of such a provocative, unwarranted and irresponsible statement by the Israeli regime's Defense Minister as well as other officials of that regime, which has frequently threatened Iran with a military strike. Such statements are in flagrant violation of the most fundamental provisions of the Charter of the United Nations and the basic principles of international law, and are against the global efforts to strengthen regional and international peace and security.

Iran is a leading nation in rejecting and opposing all kinds of weapons of mass destruction, including nuclear weapons. As a State party to the Treaty on the Non-Proliferation of Nuclear Weapons, the Islamic Republic of Iran has on many occasions, including in relevant international forums, officially declared that nuclear weapons, as the most lethal and inhumane weapons, have no place in the defence doctrine of the country. Furthermore, since 1974, Iran has spared no efforts in the realization of the nuclear-weapon-free zone in the Middle East within the United Nations framework and the Non-Proliferation Treaty Review Conferences.

I wish also to reiterate my Government's position that the Islamic Republic of Iran has no intention to initiate any attack against other nations. Nonetheless, in accordance with its inherent right under Article 51 of the Charter of the United Nations, Iran would not hesitate to act in self-defence to respond to any attack against the Iranian nation and to take appropriate defensive measures to protect itself.

It is ironic, however, that such inflammatory remarks and baseless allegations against Iran's peaceful nuclear programme are uttered by officials of a regime that has an unparalleled record of crimes and atrocities amounting to crimes against humanity and whose clandestine development and unlawful possession of nuclear weapons are the unique threat to regional as well as international peace and security.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Mohammad **Khazaee**
Ambassador
Permanent Representative

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